

I hereby submit revisions to the 2001 budget aggregates, pursuant to section 311 of the Congressional Budget Act, in the following amounts:

| | Budget authority | Outlays | Surplus |
|---|---------------------|---------------------|-----------------|
| Current Allocation: Budget Resolution | \$1,532,779,000,000 | \$1,495,819,000,000 | \$7,381,000,000 |
| Adjustments: Emergencies | 1,299,000,000 | | |
| Revised Allocation: Budget Resolution | 1,534,078,000,000 | 1,495,819,000,000 | 7,381,000,000 |

NOMINATION OF MS. LOIS EPSTEIN TO BE A BOARD MEMBER OF THE CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

Mr. LAUTENBERG. Mr. President, the President of the United States today nominated Ms. Lois Epstein to be a Board Member of the Chemical Safety and Hazard Investigation Board.

Ms. Epstein is a licensed professional engineer with over 16 years of technical and regulatory experience involving toxic and hazardous chemicals, with a significant focus on accident and pollution prevention. She currently is a Senior Engineer with Environmental Defense. In that capacity, she has served on three federal advisory committees, two for the Environmental Protection Agency (EPA) and one for the Department of Transportation (DOT). She has also served as a consultant to the Science Advisory Board of EPA. Prior to coming to Environmental Defense, Ms. Epstein worked in the private sector and for the federal government in the EPA Region 9 office.

Ms. Epstein has demonstrated integrity, technical and analytical expertise, industrial plant knowledge, and a strong understanding of environmental laws and regulations. She has the ability to work with a diverse array of interests, and a commitment to resolving environmental and worker safety problems. These qualities, in combination with Ms. Epstein's expertise in engineering, petroleum refining, and her familiarity with the National Transportation Safety Board—the model for the Chemical Safety Board—make her a strong candidate.

Although she is being nominated without enough time remaining in the 106th Congress for confirmation, I hope that the next Administration and Congress will look favorably upon this qualified candidate.

DISTURBING DOD POLICY

Mr. SMITH of New Hampshire. Mr. President, I rise today to speak on a disturbing Department of Defense (DOD) policy that prohibits the adoption of retired military working dogs (MWD).

The bill that I am speaking in support of today, H.R. 5314, will amend the law to allow a handler to adopt a retired military working dog. This legislation was constructed with the guidance and input of all the parties involved. While the Senate version provides more flexibility for the DOD than I would prefer, in the future the Con-

gress will have the opportunity to evaluate the DOD's work when they report back to Congress on their progress in facilitating military dog adoptions.

In discussions with the Managers, my understanding is that this change is only intended to protect the Department of Defense's flexibility to retain animals it determines to be unsuitable for release. In no way is this intended to allow the Defense Department to retain animals that are suitable for release and are no longer needed. I believe it is important to clarify this point, but with that understanding, I am pleased to support this legislation.

The DOD's policy callously discards these highly trained and devoted animals after completion of their service to their country after 8–10 years of age, even if their handlers wish to adopt them.

Under the current law there is no happy retirement for these loyal canines. After their body is no longer able to sustain the workload of their mission, the future becomes bleak for these dogs. In a best case scenario, the dogs are sent back to Lackland Air Force Base, their original training school, where they are used to instruct their human counterparts to become handlers.

After they have served this final duty, they are kenneled for an undertermined amount of time and then put down. In some instances, military working dogs are caged as long as a year until they meet their final outcome. If no kennel space is available, the less fortunate are terminated directly upon their arrival to Lackland.

Without the loyal service of Military Working Dogs and their devotion to their handlers, countless American soldiers would have died or become casualties of war.

These dogs have abilities that our most advanced technology cannot match, rendering them priceless to the men and women serving in our military.

Of the 10,000 men who served with K-9 units during the Vietnam War more than 265 were Killed in Action. Of the 4,000 dogs that served, 281 were "Officially" listed as "Killed in Action," but only 190 were returned home at the end of the war.

More than 500 dogs died on the battlefields of Vietnam.

Military Working Dogs not only helped win battles and save lives, but had an enormous impact upon the mental well-being of those humans that surrounded them in the severest of battle conditions.

It is clear that the DOD's policy does not work in the best interests of the dog handlers and the dogs. There is a distinctly strong bond between dog handlers and their dogs, who work, live and play together on a daily basis.

I believe that the military's policy unnecessarily severs a bond that has taken years to cultivate which can easily be alleviated by allowing dog handlers or other qualified people to care for these highly intelligent dogs after they can no longer serve their country.

The 1949 Federal Property and Administrative Services Act, enacted after World War II, reclassified military working dogs as equipment. According to the military mentality, any piece of equipment no longer operable, becomes a hardship to the unit and must be disposed.

In 1997, the Federal Property and Administrative Services Act was amended. The law was altered to permit federal dog handlers, such as those in the Drug Enforcement Administration, to adopt their aging K-9 partners after their service in law enforcement was completed.

The DOD's K-9 partners were the only federal canine group not included in the modification. Are these worthy canines any less deserving of peacefully living out the remainder of their days than another federal working dogs? These dogs can be detrained of their aggressive responses and we have no reason to assume that they will not continue to obey their handlers.

The bill that I am speaking in support of today, H.R. 5315, will amend the law to allow a handler to adopt a retired military working dog. I believe that legislation was constructed with the best interest for all parties involved.

The decision to allow a handler to adopt their canine partner rests on the shoulders of those who know the dog best: the dog's last unit commander and the last unit veterinarian. Made on a case-by-case basis, the commander and veterinarian are obligated to give their consent before the adoption process can move forward.

Furthermore, H.R. 5314 provides an additional safeguard at the federal level. Upon receipt of the dog, the adopting handler waives all liability against the federal government.

H.R. 5314 will effectively accomplish two goals: it offers the DOD a solution to their dilemma of maintaining aging canines and lifts the restriction that prohibits the adoption of military working dogs. Former dog handlers, individuals with comparable experience,